

Santa Fe Board of County Commissioners
County Commission Chambers
County Administration Building

REGULAR MEETING

December 13, 2011 at 2:00pm

Please turn off Cellular Phones during the meeting.

Amended
Agenda

- I. Call To Order
- II. Roll Call
- III. Pledge Of Allegiance
- IV. State Pledge
- V. Invocation
- VI. Approval Of Agenda
 - Amendments**
 - Tabled Or Withdrawn Items**
- VII. Approval Of Consent Calendar
 - A. Consent Calendar Withdrawals
- VIII. Approval of Minutes
 - A. Approval Of October 25, 2011 BCC Minutes
 - B. Approval Of November 8, 2011 BCC Minutes
- IX. Special Presentations
 - A. Retirement Steve Vogel 20 Years And 8 Months Of Dedicated Service To Santa Fe County Presentation By Fire Chief David Sperling
 - B. Retirement Robert Riggs 18 Years And 5 Months Of Dedicated Service To Santa Fe County Presentation By Sheriff Robert Garcia And Undersheriff Ron Madrid (TABLED)
 - C. Retirement Jack Kolkmeier 15 Years And 9 Months Of Dedicated Services To Santa Fe County Presentation By Deputy County Manager Penny Ellis-Green

- D. **Employee Of The Quarter (Third Quarter Of 2011) Dennis Patty, Presentation By Fire Chief David Sperling.**
- E. **Certificate Of Acknowledgement To Gannett Fleming West For Receiving The ENG Regional Award Of Merit For The South Meadows Roadway, Bridge And Utilities Construction Project. (Commissioner Vigil)**
- F. **Certificate Of Appreciation To Members Of The Employee Benefits Committee. (Commissioner Vigil)**

X. Matters Of Public Concern –NON-ACTION ITEMS

XI. Matters From The Commission

- A. **Resolution No. 2011-___, A Resolution To Support Buying Local And Being Creative With Purchases. (Commissioner Holian)**
- B. **Request Approval Of A Resolution Supporting 2012 Farm Bill Priorities As Means To Securing A Regional Food System That Is Just And Accessible For All Members Of Santa Fe County Community. (Commissioner Holian)**
- C. **Resolution No. 2011-___, A Resolution To Endorse The Campaign To End Wage Theft In Santa Fe County. (Commissioner Holian)**
- D. **Resolution No. 2011-___, Strongly Urging The NM State Legislature To Amend The Local Liquor Excise Tax Act To Include New Mexico Counties With The Requisite Population And Net Taxable Value To Option To Impose A Local Liquor Excise Tax, Upon Approval By Proceeds To Fund Social Service Programs To Serve Persons Impacted By Alcohol And Drug Abuse. (Commissioner Vigil)**
- E. **Resolution No. 2011-___, A Resolution Requesting That The City Of Santa Fe Release Additional Effluent Into The Santa Fe River To Support The Historical Agricultural Needs Of The Village Of La Cieneguilla And The Village Of La Bajada. (Commissioner Anaya)**
- F. **Proclamation In Memoriam Of Gerald Gonzales. (Commissioner Anaya)**
- G. **Election Of County Commission Chair For 2012.**
- H. **Election Of County Commission Vice Chair For 2012.**

XII. Appointments/Reappointments/Resignations

- A. **Accept Resignation Of Ms. Sarah Noss From The Santa Fe City And County Advisory Council On Food Policy.**

XIII. Consent Calendar

A. Miscellaneous

- 1. **Resolution No. 2011-___, A Resolution Requesting An Increase To The Corrections Operations Fund (247) To Budget The Fiscal Year 2011 State Criminal Alien Assistance Program (SCAAP) Award Received For Expenditure In Fiscal Year 2012 / \$15,258. (Corrections Department)**

2. **Resolution No. 2011-___, A Resolution Requesting An Increase To The Alcohol Programs Fund (241) To Budget Additional Grant Funds Awarded Through The New Mexico Department Of Transportation For The Community DWI Programs / \$35,341. (Community Services)**
3. **Resolution 2011-___, A Resolution Requesting An Increase To The Law Enforcement Operations Fund (246) To Budget A Grant Awarded Through The New Mexico Department Of Public Safety For The 2012 Statewide Expanded Operation DWI Program / \$26,500. (County Sheriff's Office)**

B. Final Orders

1. **CDRC Case # V 11-5210 Edwin & Francesca Lemus Variance. Edwin & Francesca Lemus, Applicant's, Santa Fe County Open Space And Trails, (Coleen Baker), Agent, Requested A Variance Of Ordinance # 2007-2, (Village Of Agua Fria Zoning District), Section 10.6 To Allow A Land Division Of 1.534 Acres Into Two Lots; One Lot Consisting Of 1.050 Acres And One Lot Consisting Of 0.483 Acres. The Property Is Located Off Agua Fria Street, At 1994 Vereda San Antonio, Within Section 32, Township 17 North, Range 9 East, (Commission District 2). APPROVED 5-0, Wayne Dalton.**

XIV. Staff And Elected Officials' Items

A. Community Services Department

1. **Presentation On Fire Department Activities For Administration, Operations, Fire Prevention, Wildland, And Emergency Management. (Community Services Department/Fire)**

B. Finance Department

1. **Resolution 2011-___, A Resolution Requesting An Increase To The State Special Appropriations Fund (318) To Budget Available Cash For Improvements To The Cundiyo Community Center / \$106,243. (PW/Projects & Facilities)**

C. Growth Management Department

1. **Request Approval Of Amendment No. 1 To Memorandum Of Agreement Formalizing The Establishment Of The Santa Fe Regional Telecommunications Coalition To Include The Santa Fe Indian School And The Institute Of American Indian Arts As Parties To The Coalition.**
2. **Release Of Selected Chapters Of The Sustainable Land Development Code (SLDC) Draft And Discussion Of The Code Public Input Process.**
3. **Ordinance No. 2011- ___, An Ordinance Suspending On A Case-By-Case Basis Provisions Of Article V Of The Land Development Code Concerning Expiration Of Master Plans, Preliminary Plats And Final Plats Upon A Finding Of Economic Necessity. (FINAL PUBLIC HEARING)**

4. **Resolution No. 2011-___, A Resolution Finding The Existence Of Severe Economic Conditions And Suspending Enforcement Of Specified Provisions Of Article V Of The Land Development Code That Concern Expiration Of Master Plans, Preliminary Plats And Final Plats Pursuant To Master Plans, Preliminary Plats And Final Plats Pursuant To Ordinance No. 2011-___.**
5. **Request Approval Of Joint Powers Agreement For Management Of The REDI Middle-Mile Broadband Network By And Among The North Central New Mexico Economic Development District, The Incorporated County Of Los Alamos, Santa Fe County, The City Of Espanola, Rio Arriba County, Ohkay Owingeh, The Pueblo Of Santa Clara, The Pueblo Of Pojoaque And The Pueblo Of Tesuque. (Growth Management/Economic Development)**
6. **Consideration And Approval Of A Memorandum Of Agreement Between Santa Fe County And REDI Net Middle-Mile Broadband Network.**

D. Human Resources

1. **Request Approval Of Amendment No. 1 To The Collective Bargaining Agreement Between Santa Fe County And The American Federation Of State, County And Municipal Employee, New Mexico Council 18, Local 1782.**

E. Public Works Department

1. **Request Approval Of A Purchase Agreement With The Edwin And Francesca Lemus To Purchase Approximately 0.483 Acres On The Santa Fe River For The Purpose Of Creating A Public Greenway And Trail. (Public Works Department/Projects)**
2. **Request Approval Of A Resolution Authorizing The County Manager To Execute Closing Documents With Edwin And Francesca Lemus For The Purchase Of Real Property. (Public Works Department/Projects)**
3. **Request Approval To Extend A Building Lease Agreement Between Santa Fe County And Burro Alley, LLC For Office Space Located At 142 West Palace Avenue, Santa Fe, New Mexico For An Additional 12 Months, From March 1, 2012 Through February 28, 2013, In The Amount Of \$222,321. (Public Works/Projects and Facilities)**
4. **Request Approval Of A Building Lease Agreement Between The County And Presbyterian Medical Services For A County Owned Building, Parking Lot And Playground Located At County Road 98 In Chimayo For A Headstart Program In Santa Fe County (Public Works Department/Projects & Facilities)**

F. Procurement

- 1. The Santa Fe Health And Human Services Division Senior Program Requests A Waiver From Section 1 Of Ordinance No. 2010-08 To Purchase Food And Cleaning Supplies For The Senior Meals Program In An Amount To Exceed \$100,000 Under The State Of New Mexico Contract For Such Items. (Community Services/Health And Human Services) (TABLED)**

G. Matters From The County Clerk

- 1. Ordinance No. 2011-____, An Ordinance Amending Ordinance No. 2009-06, To Remove Fees For Data And Documents Provided By The County Clerk, To Comport With NMSA 1978, Section 14-8-14 (2011), Which Delegates Authority To Establish Reasonable Fees To The County Clerk; Amending Exhibit A Of Ordinance No. 2009-06, (FINAL PUBLIC HEARING)**

H. Matters From The County Manager

- 1. Presentation, Discussion And Direction Of Santa Fe County's State Legislative Priorities For The 2012 Regular Session.**
- 2. Review, Discussion And Approval Of Resolution No. 2011-____, A Resolution Authorizing And Supporting A Community Development Block Grant Application For Santa Fe County.**

I. Matters From The County Attorney

1. Executive Session

- A. Discussion of Pending or Threatened Litigation**
 - B. Limited Personnel Issues**
 - C. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights**
 - D. Collective Bargaining**
 - E. Contract Negotiations Under The Procurement Code**
 - F. The Mutual Release And Settlement Agreement In The Case Of Stephanie Oshel v. The Board Of County Commissioners, et al., United States District Court Case No. 9-CV-764-RB/RHS**
- 2. Consideration And Approval Of The Mutual Release And Settlement Agreement In The Case Of Stephanie Oshel v. The Board Of County Commissioners, et al., United States District Court Case No. 9-CV-764-RB/RHS**

XV. Public Hearings

A. Growth Management Department

- 1. BCC Case # MIS 11-5121 Arroyo Vino Liquor License. Revex 101 Investments, LLC, D/B/A Arroyo Vino, Applicant, Requests Approval Of A Transfer Of Location Of State Liquor License # 0271. The Subject Property Is Located At 218 Camino La Tierra, Within Sections 7 & 8, Township 17 North, Range 9 East. (Commission District 2). Jose E. Larranaga, Case Manager**
- 2. Presentation Of The Galisteo Community Plan (First Public Hearing)**

3. **CDRC Case # V 11-5240 Dale McDonnell Variance.** Dale McDonnell, Applicant, Carol Everett, Agent, Request A Variance Of Article V, Section 8.1.3 (Legal Access) Of The Land Development Code To Allow An Access Of The Less Than Twenty Feet (20') In Width And Road Grade To Exceed 11% For The Construction Of A Residence On 20 Acres. The Property Is Located Off Rogersville Road Near Madrid, At 14 Mesa Viento, Within Section 26, Township 14 North, Range 7 East, (Commission District 3). Wayne Dalton, Case Manager. (TABLED)
4. **BCC Case # MIS 06-5032 Trenza Time Extension.** Commonweal Conservancy Inc., Applicant, Ted Harrison, Agent, Request A 36-Month Time Extension Of The Previously Approved Preliminary Plat And Development Plan For Phase I Of The Trenza Development (A.K.A. The Village At Galisteo Basin Preserve) Which Consists Of 131 Single Family Resident Lots And 3 Multi-Family Residential Lots For A Total Of 149 Residential Units, And 5 Non-Residential Lots Within A 60 Acre Development Envelope Within An Overall 10,000+ Acre Area. The Property Is Located South Of Eldorado, West Off US 285, Within Sections 1, 3-5, 7-15, 17, 20-24, And 27 Within Township 14 North, Range 9 East; Sections 5-7, And 18 Within Township 14 North, Range 10 East; Sections 25 And 34-36, Within Township 15 North, Range 9 East; And Sections 30 And 31, Within Township 15 North, Range 10 East. (Commission District 3). Vicki Lucero, Case Manager.
5. **CDRC Case # V 11-5270 Cuatro Villas Mutual Domestic Water Users Associations.** Cuatro Villas Mutual Domestic Water Users Association, Applicant, Kari Edenfield (Souder, Miller And Associates), Agent, Request A Variance, Of Article III, Section 4.4.4.C Development And Design Standards, To Allow A Proposed Water Storage Tank To Exceed The Maximum Permitted Height Of Thirty Six Feet. The Project Is Located At 51 Placita Road, Within Section 4, Township 20 North, Range 9 East. (Commission District 1). Jose E. Larranaga, Case Manager.

XVI. Adjournment

The County of Santa Fe makes every practical effort to assure that its meetings and programs are accessible to people with disabilities. Individuals with disabilities should contact Santa Fe County at 986-6200 in advance to discuss any special needs (e.g., interpreters for the hearing impaired or readers for the sight impaired)